

Benj^a Rozer Esq^r } John Quigley late of S^t Maryes County M^rchant
 ag^t } was Attached to Answer unto the Hon^{ble} Benja- Liber W. C.
 John Quigley } min Rozer Esq^r in a plea of trespas upon the case

And whereupon the said Benjamin by Christopher Rousby his Attorney complaineth, that whereas he the said Benjamin the Eighteenth day of Decemb^r One thousand six hundred seventy Eight stood indebted unto one Joseph Eaton Marrin^r Master of the Shipp M^rchants delight of London in the quantity of Thirty thousand pounds of tobacco And whereas he the said John Quigley afterwards to witt the Eighteenth day of Decemb^r One thousand six hundred Seventy Eight, in consideracōn that he the said Benjamin att the speciall instance & request of him the said John would well & truely pay or cause to be paid unto one Arthur Taylor late of Charles County M^rchant the quantity of thirty thousand pounds of tobacco in cask for the accompt of him the said John Quigley And would take the said Arthur Taylors receipt for the same as paid for the Accompt of him the said John, he the said John did assume upon himselfe & to the said Benjamin did faithfully promise that he the said John would forthith when thereunto required pay & satisfie unto the aforesaid Joseph Eaton the like quantity of thirty thousand pounds of tobacco in Discharge of the aforesaid debt of thirty thousand pounds of tobacco due to the said Joseph from the said Benjamin as aforesaid And would procure a sufficient receipt and discharge against the said debt of thirty thousand pounds of tobacco under the hand of the said Joseph Eaton for him the said Benjamin And would bring & deliver the same receipt unto him the said Benjamin Rozer And the said Benjamin in fact saith, that he the said Benjamin trusting to the promise & assumpcōn aforesaid of him the said John Quigley, afterwards to witt the twentieth day of January One thousand six hundred Seventy eight did pay & satisfie unto the said Arthur Taylor the Sum^e or quantity of Thirty thousand pounds of tobacco for the Accompt of the said John Quigley, & did take a receipt for the same under the hand of the said Arthur as paid to him the said Arthur by him the said Benjamin by the order & for the accompt of his the said John Quigley. Yet the said John Quigley his promise and assumpcōn aforesaid little regarding, but plotting & contriveing him the said Benjamin not only of the said Thirty thousand pounds of tobacco wholly to defraud & deceive but also to bring the said Benjamin unto discredit in his reputacōn with M^rchants & dealers in this Province, the said Sum^e or quantity of thirty thousand pounds of tobacco in discharge of the said debt of Thirty thousand pounds of tobacco due to the said Joseph from the said Benjamin as aforesaid hath not paid nor any part thereof, nor a receipt & discharge under the hand of the said Joseph against the said debt of thirty thousand pounds of tobacco unto the said Benjamin hath not brought & delivered though often thereunto required,